

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LENARD SCOTT,

No. CIV.S-04-2418 DAD

Plaintiff,

v.

ORDER SETTING STATUS
(PRETRIAL SCHEDULING)
CONFERENCE

ROSE MARIA VIVIER,

Defendant.

_____/

This action has been reassigned to United States Magistrate Judge Dale A. Drozd for all proceedings. See 28 U.S.C. § 636(c).

Pursuant to the provisions of Federal Rule of Civil Procedure 16, as amended, effective December 1, 1993, IT IS ORDERED:

1. A Status (Pretrial Scheduling) Conference is set for **July 15, 2005, at 11:00 a.m.**, in Courtroom No. 27, before Magistrate Judge Drozd.

2. Rule 4(m) of the Federal Rules of Civil Procedure provides that this action may be dismissed if service of process is not accomplished within 120 days from the date the complaint is

1 filed. In order to enable the court to comply with the 120-day time
2 limits specified in Rules 4(m) and 16(b), the court **strongly**
3 **encourages plaintiff to complete service of process on all defendants**
4 **within sixty days of the date of filing of the complaint.**

5 3. Concurrently with service of process, or as soon
6 thereafter as possible, plaintiff shall serve upon each of the
7 parties named in the complaint, and UPON ALL PARTIES SUBSEQUENTLY
8 JOINED, INCLUDING IMPEADED THIRD-PARTY DEFENDANTS, a copy of this
9 order, and shall file with the Clerk of the Court a certificate
10 reflecting such service.

11 4. If this action was originally filed in a state court
12 and thereafter removed to this court, the removing party or parties
13 shall, immediately following removal, serve a copy of this order upon
14 each of the other parties and upon all parties subsequently joined,
15 and shall file with the Clerk a certificate reflecting such service.

16 5. All parties shall appear at the Status Conference by
17 counsel, or in person if acting without counsel. Parties may appear
18 at the conference telephonically. To arrange telephonic appearance,
19 parties shall contact Pete Buzo, the courtroom deputy of the
20 undersigned magistrate judge, at (916) 930-4128.

21 6. The parties shall submit to the court, no later than
22 seven days before the Status (Pretrial Scheduling) Conference, a
23 status report addressing the following matters:

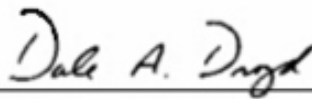
24 a. Progress of service of process;

25 b. Possible joinder of additional parties;

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- c. Any expected or desired amendment of the pleadings;
- d. Jurisdiction and venue;
- e. Anticipated motions and the scheduling thereof;
- f. Anticipated discovery and the scheduling thereof, including disclosure of expert witnesses and whether any order affecting discovery under Federal Rules of Civil Procedure 26 and 29-37 is desired;
- g. Future proceedings, including setting appropriate cut-off dates for discovery and law and motion, and the scheduling of a final pretrial conference and trial;
- h. Modification of standard pretrial procedures specified by the rules due to the relative simplicity or complexity of the action;
- i. Whether the case is related to any other case, including matters in bankruptcy;
- j. Whether the parties will stipulate to the magistrate judge assigned to this matter acting as settlement judge, waiving any disqualifications by virtue of his so acting, or whether they prefer to have a Settlement Conference before another judge; and
- k. Any other matters that may add to the just and expeditious disposition of this action.

DATED: June 17, 2005.



DALE A. DRCZD
UNITED STATES MAGISTRATE JUDGE

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